

Recommend: ☐ Approval ☐ Disapproval (*Complete Page 2*)

On _____
Date Extension

By: _____
Assistant U.S. Attorney

Signature: _____

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA
v.

PLAINTIFF,

CASE NUMBER

DEFENDANT(S).

AFFIDAVIT OF SURETY(IES) (PROPERTY)

I (We), the undersigned surety(ies), state on oath:

That I (we) permanently reside within the jurisdiction of the United States District Court for the Central District of California, or in _____ (City, State), at the address(es) indicated; that I(we) am(are) the legal owner(s) of the property described below and the representations as to my (our) ownership and equity in said property are true and correct;

That I (we) am (are) worth the amount specified in the bond attached hereto and made a part hereof, to wit: \$ _____, over and above my(our) just debts and liabilities and exclusive of property exempt from execution.

I (We) further state that I (we) have read and understand the provisions of the bond of the defendant named above to which this affidavit is affixed as "Attachment A" and made a part hereof, and I (we) acknowledge and agree that I (we) and my (our) personal representatives are bound, jointly and severally with the defendant and any other sureties, to pay to the United States of America the bond amount specified in the event the bond is forfeited.

I (We) further promise not to transfer or encumber said property until final disposition of this case and exoneration of the subject bond by Order of the Court.

I (We) hereby subject said funds, and agree to be bound as a condition of this bond, by the provisions of Local Criminal Rule 46-6, as set forth below in this document.

I (We) understand that it is my (our) obligation to inform the Court and counsel of any change in residence address or employment of the defendant immediately upon such a fact becoming known to me (us).

I (We) further agree and understand that, unless otherwise ordered by the Court, the bond to which this affidavit is attached is a continuing bond (including any proceeding on appeal or review) which shall continue in full force and effect until such time as the undersigned is (are) duly exonerated by Order of the Court.

LOCAL CRIMINAL RULE 46-6 - BOND - SUMMARY ADJUDICATION OF OBLIGATION

A bond of undertaking presented for filing shall contain consent and agreement of the principal and surety that in case of default or contumacy on the part of the principal or surety, the Court may upon ten (10) days notice proceed and summarily render a judgment in accordance with the obligation undertaken and issue a writ of execution upon such judgment. An indemnitee or party in interest seeking a judgment on a bond or undertaking shall proceed by Motion for Summary Adjudication of Obligation and Execution. Service may be made on corporate surety as provided in 31 U.S.C. §9306.

Address and description of property:

Each surety must indicate the form in which title to property is held and if there are other title holders, each must sign as surety and furnish pertinent information.

Print Name of Surety

Address of Surety

Social Security Number

City, State, Zip Code

☐ Sole Holder or Owner ☐ Tenancy in Common ☐ Joint Tenancy ☐ Other: _____

Percentage of
Interest of Surety % _____

Present Fair Market
Value of Property \$ _____
(supporting documentation attached)

Total Amount of
Encumbrances and/or All Liens \$ _____
(list below separately)

Name of Holder of 1st Encumbrance

Address, City, State, Zip Code

Name of Holder of 2nd Encumbrance

Address, City, State, Zip Code

Name of Holder of 3rd Encumbrance

Address, City, State, Zip Code

Total Equity \$ _____
(after deduction of encumbrance/liens)

Homesteaders ☐ Yes ☐ No
Exemption Filed?

Amount of Exemption \$ _____

Number of other bonds or undertakings

Amount of other bonds or undertakings

Has the indicated property previously been *USED* as collateral? ☐ Yes ☐ No

If yes, list: _____

Was appraisal given by a *LICENSED* appraiser? ☐ Yes ☐ No. If not, what was basis of appraisal? _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this _____ Day of _____.

Signature of Surety

Relationship of Surety

Signature of Surety

Relationship of Surety

Above Surety Approved: _____
United States Magistrate Judge

Dated: _____

RECOMMEND DISAPPROVAL OF THIS BOND FOR THE FOLLOWING REASON(S):

☐ Property value less than required amount ☐ Insufficient documentation to establish value of property
☐ Amount of liens and/or encumbrances reduces value of property to less than required amount ☐ Amount of equity insufficient
☐ Other (Explain): _____

Dated: _____

Assistant U.S. Attorney